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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/648,152	08/25/2000	Stefan Freitag	4079.21US01	5358

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EXAMINER

ORTIZ RODRIGUEZ, CARLOS R

ART UNIT	PAPER NUMBER
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2125

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/648,152	Applicant(s) STEFAN FREITAG	
	Examiner Carlos Ortiz-Rodriguez	Art Unit 2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 20, 24, 25, 29, 30, and 34 rejected under 35 U.S.C. 102(b) as being anticipated by Thackston U.S Patent No. 6,295,513.

Regarding claims 20, 25, and 30 Thackston discloses a collaboration server, comprising: a database including computer-aided design (CAD) elements defining an object under design (Fig 2 element 210, Abstract L 8-10 and C9 L10-17) ; and a collaboration server application for receiving input commands from a plurality of remote client applications to modify said CAD elements (Fig 2, Abstract L8-13 and C2 L14-48), wherein said collaboration server application identifies discrete changes to said CAD elements (Fig 2, Abstract L8-13, C2 L14-48, and C3 L30-35), creates a log of said discrete changes in a chronological order (Fig 1, timeline), and generates a hypertext markup language (HTML) report to enable user access to information related to changes to said CAD elements in a manner that is independent of client applications (C10 L5-10).

Regarding claims 24, 29 and 34 Thackston discloses said remote client applications communicate with said collaboration server via the Internet (C10 L5-10).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 21, 26 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thackston U.S Patent No. 6,295,513 in view of Tanigawa et al. U.S. Patent No. 5,694,544.

Regarding claims 21, 26, and 31, Thackston discloses all the limitations of the base claims.

But, Thackston fails to clearly specify wherein said collaboration server application automatically records values defining geometric characteristics of CAD elements when changes are made to said CAD elements, and receives information from a user related to a reason for a respective change to said CAD elements and includes said received information in said log; wherein said collaboration server application indicates in said log an identity of a user making a respective change to said CAD elements.

However, Tanigawa et al. disclose said collaboration server application automatically records values defining geometric characteristics of CAD elements when changes are made to said CAD elements, and receives information from a user related to a reason for a respective change to said CAD elements and includes said received information in said log; wherein said collaboration server application indicates in said log an identity of a user making a respective change to said CAD elements (C3 L45-50 and C7 L20-31).

Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the above invention suggested by Thackston and combining it with the invention disclosed by Tanigawa. The results of this combination would lead to a CAD system.

One of ordinary skill in the art would have been motivated to do this modification in order to obtain a reliable system that stores information regarding identification and time of creation as suggested by Tanigawa et al.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Ortiz-Rodriguez whose telephone number is (571) 272-3747. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P. Picard can be reached on (571) 272-3749. The central official fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Art Unit: 2125

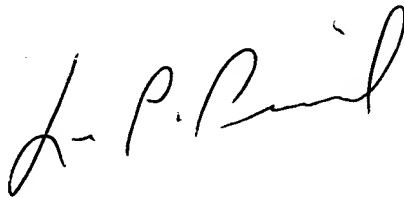
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P Picard can be reached on (703)308-0538. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Carlos Ortiz-Rodriguez
Patent Examiner
Art Unit 2125

cror

February 22, 2005

A handwritten signature in black ink, appearing to read "L. P. Picard", is written over the date.

LEO PICARD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100